

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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STEVE SACHS,
Plaintiff

vs.

STEVEN SPRAGUE, et al,
Defendants

Lead Civil Action No. 04-30032-MAP

Consolidated with 04-30038-MAP
04-30044-MAP

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PLAINTIFFS' ASSENTED TO MOTION TO AMEND CAPTION

The Plaintiffs, Steve Sachs, Jeff Swanson and Charlene Harvey, respectfully move to amend the above caption to reflect this Court's September 3, 2004, Order allowing Plaintiffs' Motion to Consolidate. Plaintiffs have sought and obtained Defendants' consent to this motion and hereby move to amend the caption as follows:

STEVE SACHS, JEFF SWANSON,)
AND CHARLENE HARVEY,)
Plaintiffs)

vs.)

Civil Action No. 04-30032-MAP


STEVEN SPRAGUE, GERARD K.)
FEENEY, JOHN E. BAGALAY,)
NOLAN BUSHNELL, GEORGE)
GILDER AND JOHN E.)
McCONNAUGHY, JR.,)
Defendants)

and)

WAVE SYSTEMS CORP.)
Nominal Defendant)

Dated: October 28, 2004

Respectfully submitted,


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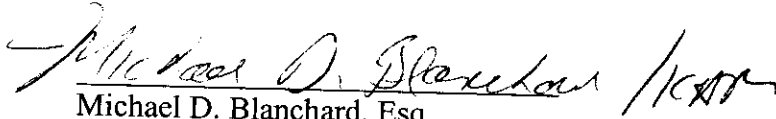
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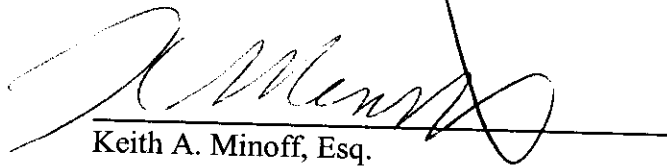
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CERTIFICATE OF SERVICE

I, Keith A. Minoff, Esq., hereby certify that on this 28th day of October, 2004, I served a copy of the above document upon all counsel of record for each party by mail.

Subscribed under the penalties of perjury.


Keith A. Minoff, Esq.